

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN ROGERS,

Plaintiff,

v.

CALIFORNIA STATE PRISON  
CORCORAN, et al.,

Defendants.

No. 1:23-cv-01158 GSA

ORDER AND FINDINGS AND  
RECOMMENDATIONS

ORDER RECOMMENDING MATTER BE  
DISMISSED FOR FAILURE TO FILE  
NOTICE OF CURRENT ADDRESS WITH  
COURT

PLAINTIFF'S OBJECTIONS DUE IN  
FOURTEEN DAYS

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 1, 2024, an order which directed Plaintiff to file a notice of current address (ECF No. 7) was returned to the Court marked "Undeliverable, Refused." Since then, more than sixty-three days have passed and Plaintiff has not filed a notice of current address with the Court. See Local Rule 183(b).

Although it appears from the file that Plaintiff's copy of the order was returned, Plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his current

1 address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of  
2 the party is fully effective.

3 Accordingly, IT IS HEREBY ORDERED that the Clerk of Court shall randomly assign a  
4 District Judge to this matter.

5 IT IS FURTHER RECOMMENDED that this action be dismissed without prejudice for  
6 failure to file a notice of current address with the Court.

7 These findings and recommendations are submitted to the United States District Judge  
8 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen after  
9 being served with these findings and recommendations, Plaintiff may file written objections with  
10 the Court. Objections should not exceed fifteen pages. The document should be captioned  
11 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that  
12 failure to file objections within the specified time waives the right to appeal the District Court’s  
13 order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

14  
15  
16 IT IS SO ORDERED.

17 Dated: October 9, 2024

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE